

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Final Office Action dated January 8, 2008.

I. Introduction

Claims 1, 6, and 15 have been canceled without prejudice. Claims 2, 7, 14, and 16, as they were dependent on canceled claims 1, 6, and 15, have been amended to be written in independent form. No other amendments have been made. No new matter has been introduced. By rewriting dependent claims in independent form and canceling various claims the cancellations and amendments "present the rejected claims in better form for consideration on appeal" (Sec. 1.116). As all of the now-pending claims have been examined, the amendments do not raise and new issues and no new searching is required, applicant respectfully requests that this amendment be admitted.

Claims 19-31 have been previously cancelled without prejudice. Accordingly claims 2-5, 7-14, 16-18, and 32-37 are now pending.

The Examiner rejected claims 1-3, 5-8, 14-17, and 32 as being anticipated under 35 U.S.C. §102(e) by U.S. Patent Publication No. 2004/0249975 to Tuck et al. (hereinafter "the Tuck et al. publication").

The Examiner has further rejected claims 4, 18, and 33-35 as being unpatentable under 35 U.S.C. §103(a) over the Tuck et al. publication in view of U.S. Patent No. 6,684,250 to Anderson et al. (herein after "the Anderson et al. patent").

In addition the Examiner rejected claims 9-13, 36, and 37 under 35 U.S.C. §103(a) as being unpatentable over

the Tuck et al. publication in view of the Anderson et al. patent in further view of U.S. Patent Publication No. 2002/0165835A1 to Igval (hereinafter "the Igval publication").

As will be discussed below, none of the pending claims are anticipated or rendered obvious by the applied references.

II. The Rejection of claims 1-3, 5-8, 14-17, and 32 under §102

Claims 1 and 15 have been canceled, without prejudice.

Claim 2, as amended, recites the following features:

*comparing the obtained physical location
information to information listing physical
locations authorized to obtain access to a
service for which security is to be provided*

The Examiner cites paragraph 13 of the Tuck et al. publication to show these features. However, that paragraph states (emphasis added):

"In a preferred embodiment, the system includes a link aware router which is able to determine the **link layer address** of a **client node** which has sent a data packet, and includes a **database of link layer addresses and user information**, which may be hosted by the router. The information may for example relate to the **department** in which a user of the client node is registered and to their **level of authority** and security clearance."

There is no mention of the "physical location information", nor is there any suggestion of "comparing the obtained physical location information to information listing physical locations authorized to obtain access to a service for which security is to be provided". The "link layer address" is not a "physical location". There is also no suggestion in the reference that the database contains "physical locations authorized to obtain access to a service for which security is to be provided". It only refers to "department" and "level of authority"; neither of which are "physical locations authorized to obtain access to a service for which security is to be provided".

For at least these reasons, **claim 2, as amended, is patentable over the cited reference.**

Claim 3, for at least the reason that it is dependent on allowable claim 2, is patentable over the cited reference.

Further, claim 3 contains the following features:

dropping said packet when said comparing does not result in a match between the obtained physical location information and the information listing physical locations authorized to obtain access to the service

The Examiner cites paragraph 17 of the Tuck et al. publication to show these features. However, that paragraph states (emphasis added):

"Further preferably, the router **determines whether a client node's link layer address is included in the database**, and initiates a

security procedure when said address is not in the database"

There is no mention of "physical locations"; just a listing of "link layer addresses". Further, the listing of "physical locations" does not suggest or teach "listing **physical locations authorized to obtain access to the service**" (emphasis added).

For these additional reasons, claim 3 is patentable over the cited reference.

Claim 5 is patentable over the cited reference for the above reasons, and because it is dependent on allowable claim 2.

Claims 17 and 32 are patentable over the cited reference for the same reasons as claim 3.

Claim 6 has been canceled.

Claim 7, as amended, recites the following features:

determining the location of the user device from edge router and port information obtained from an edge router

The Examiner states on p. 3 of the Office Action that "Tuck discloses using router and port information ([0073])." That is true. However, this information is **not** used to determine "the location of the user device". Paragraph [0073] of the Tuck et al. publication states (emphasis added):

"For any matching reverse session traffic that maps the client IP address (and additionally **transport port number for NAPT**) back, **the router**

for the traffic forwarding uses the previously stored link information to generate the packet and transmit the packet to the client, and bypasses the normal route processing."

It is clear that the use of the port number is to identify a **NAPT situation**, which will then cause the system to employ alternative routing of the session, not to "determine the location of the user device".

For at least these reasons, **claim 7, as amended, is patentable over the cited reference.**

Claim 8, for at least the reason that it is dependent on allowable claim 7, is patentable over the cited reference.

Further, claim 8 contains the following features (emphasis added):

*performing a database lookup operation to retrieve a geographic location **stored in association with said edge router and port information***

The Examiner uses the same citation in regard to claim 8 as was used against claim 7. In addition to the arguments above in relation to claim 7, there is no suggestion in the cited paragraph of the Tuck et al. publication of a database of edge router and port information associated with geographic locations. Paragraph [0073] relates port information to "client IP address", not "geographic location".

For at least these additional reasons, claim 8 is patentable over the cited reference.

Claim 14, as amended, recites the following features:

wherein said steps of obtaining physical location information and determining an action to be taken are performed when it is determined that said destination address corresponds to a service for which security is to be provided

The Examiner cites paragraph [0013] of the Tuck et al. publication to show these features. As argued above in relation to claim 2, this reference refers to "link layer addresses", not "physical location information".

For these same reasons, **claim 14, as amended, is patentable over the cited reference.**

Claim 16, as amended, recites the following features:

a database of physical location information listing physical locations authorized to obtain access to said service; and wherein said means for determining an action to be taken includes a comparator for comparing the obtained physical location information to information listing physical locations authorized to obtain access to a service for which security is to be provided

The Examiner again cites paragraph [0013] of the Tuck et al. publication to show these features. The arguments above in relation to claim 3 apply equally to claim 16.

For these same reasons, **claim 16, as amended, is patentable over the cited reference.**

III. The Rejection of claims 4, 18, and 33-35 under §103

Claims 4 and 18, for at least the reason that they are dependent on allowable claim 2, are patentable over the cited reference.

Claims 33, 34, and 35, for at least the reason that they are dependent on allowable claim 32, are patentable over the cited reference.

It should be noted that the Anderson et al. patent does not supply any of the missing features argued above in relation to claims 2 and 32, nor does the Examiner claim that it does.

IV. The Rejection of claims 9-13, 36, and 37 under §103

Claim 9 contains the following features:

obtaining physical location information indicating the location of a user device which is the source of said IP packet, by:

(i) transmitting a location information request message including the source address of the received IP packet,

(ii) receiving in response to said transmitted location information request message, information corresponding to the location of the user device determined from edge router and port information obtained from an edge router and a device identifier associated with the source address of said IP packet;

(iii) performing a database lookup operation to retrieve a geographic location stored in association with said edge router and port information, and

(iv) comparing the received device identifier to a list of device identifiers corresponding to stolen devices,
and

(c) determining, as a function of the obtained physical location information, an action to be taken

The arguments above in relation to claims 2, 7, and 32 apply equally to claim 9. It should be noted that the Anderson et al. patent and the Igval publication do not supply any of the missing features argued above in relation to claims 2 and 32, nor does the Examiner claim that they do. **For at least these reasons, claim 9 is patentable over the cited references.**

Further, the feature of claim 9:

comparing the received device identifier to a list of device identifiers corresponding to stolen devices

is not taught or suggested in **any** of the cited references. The Examiner points to the Igval publication at paragraphs [0027 and 0028] as showing this feature. However, this reference doesn't "compare" anything to "a list of device identifiers corresponding to stolen devices". The Igval publication states at paragraph [0028], lines 20-23:

"If at 454 the answer is no, then at 456 the data center 120 flags the postage meter 140b as lost or stolen and terminates the session."

This is the **opposite** of the claim 9 feature. Rather than compare "the received device identifier to a list of device identifiers corresponding to stolen devices", the Igval publication uses other methods to determine that a device is stolen, and then flags it as such.

For at least this additional reason, claim 9 is patentable over the cited references.

Claims 10-13, for at least the reason that they are dependent on allowable claim 9, are patentable over the cited references.

Claim 36 is patentable over the cited references for at least the reasons above related to claim 9.

Additionally, claim 36 contains the feature:

receiving an IP packet including a source address wherein said IP packet is transmitted from a bracelet worn by a parolee and wherein said IP packet includes parolee identification information

The Examiner does not allege that this feature is taught or suggested by any of the cited references. It would further not be obvious to link the features of "determining from said source address the physical location from which said IP packet was sent" with "a bracelet worn by a parolee". For at least this additional reason, claim 36 is patentable over the cited references.

Claim 37 is patentable over the cited references for at least the reason that it is dependent on allowable claims 32 and 33.

Additionally, claim 37 recites the feature:

determining if said IP packet was sent at a predetermined time during which a location reporting message was scheduled to be transmitted

None of the cited references teach or suggest this feature, nor does the Examiner claim that they do. Further, nothing in the references suggest relating their capabilities to "a predetermined time during which a

location reporting message was scheduled to be transmitted", and therefore, it would not be obvious to alter the references to include such a feature. For at least this additional reason, claim 37 is patentable over the cited references.

V. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance. Accordingly, it is requested that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance **the Examiner is requested to call (732-542-9070) and schedule an interview with Applicant's undersigned representative.** To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

None of the statements or discussion made herein are intended to be an admission that any of the applied references are prior art to the present application and Applicants preserve the right to establish that one or more of the applied references are not prior art.

Respectfully submitted,

April 7, 2008

A handwritten signature in cursive script, reading "Michael P. Straub", is written over a horizontal line.

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